Appl. No. 09/775,261
Amdt. Dated May 25, 2004
Reply to Office action of April 21, 2004

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the above-identified application:

1.   (currently amended) A method for optimizing a level of actual quality during a communications session, comprising the steps of:

establishing a desired quality level of the communications session, based, in part, upon a provider agreement;

monitoring an actual quality level of the communications session;

determining whether-an average of the monitored actual quality level and whether the average monitored actual quality level exceeds the desired quality level;

adjusting the actual quality level to the desired quality level by one of the steps of increasing the actual quality level to the desired quality level of the communications session, if the monitored actual quality level is less than the desired quality level[[;]] and reducing the actual quality level to the desired quality level, if the monitored actual quality level is greater than the desired quality level;

determining whether to increase or decrease fees, based, in part, on the adjusted actual quality level; and

generating an adjusted billing statement to reflect the increased or decreased fees.

2.   (canceled)

3.   (original) The method of claim 1, wherein said monitoring step includes monitoring one or more of the following: average packet delay; packet delay variation; number of error packets; number of error packet blocks; and number of misinserted packets.

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   4. (original) The method of claim 1, wherein said increasing step includes the step of increasing the actual quality level to the desired quality level of the communications sessions, if the monitored actual quality level is equal to the desired quality level.

   5. (original) The method of claim 1, wherein said reducing step includes the step of reducing the actual quality level to the desired quality level of the communications session, if the monitored actual quality level is equal to the desired quality level.

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